

Dear Honorable Supreme Court Justices,

My name is David Saetang and I am writing to you in support of Petition R-16-0042. I am an attorney licensed to practice in the State of California and the U.S. States Court of Appeals for the Ninth Circuit. For the reasons below, I respectfully submit that it is in the Court's best interests to strongly consider allowing qualified students, such as those from Concord Law School, to sit for the Arizona Bar Exam upon graduation. In short, educational programs such as Concord Law School's serve as an important resource to underrepresented individuals seeking to improve not only their own lives but the lives of those around them. Indeed, it is the smaller, local communities that will greatly benefit from having improved access to both legal education and services, especially where the individuals who will be rendering such services continue to meet those stringent standards of ethics and quality that are required by every state bar. The educational landscape has evolved and the law should not be an exception.

I will begin my submission to your Honors with a personal plea involving the firsthand account of my professional development with the intention of highlighting the importance of the accessibility to educational resources in general. As stated earlier, I am now an attorney licensed to practice in the State of California, but my journey into the legal world was all but traditional. Long before I ever wrote any briefs or contracts for clients, many of whom are in the restaurant and food business, I was a teenager working as a dishwasher and prep chef while attending college full-time at Pitzer College. In fact, I worked as many as five part-time jobs while attending classes, but I was never dissuaded from my studies. This is because I had resources surrounding me in the form of experienced and passionate faculty and staff who guided my education, and, perhaps even more importantly, a community comprised of friends, family, coworkers, and customers who placed their hope, faith, and encouragement in me to help change the world somehow. Upon graduation, I successfully received a Fulbright Scholarship to South Korea, where I researched its secondary education system. During my year-long grant, I also worked at a local high school and volunteered as an English teacher at the U.S. Embassy in Daegu, South Korea. In Korea, I truly began to understand the importance of accessibility of education and resources as I had transitioned from a full-time recipient to a full-time provider.

One cannot seriously doubt the profound impact that education can have on nearly any individual. This is education not merely in the form of teaching a person words and ideas, but more so in providing better clarity, context, and understanding in the world surrounding them. As a teacher in South Korea, I was tasked with teaching hundreds of teenagers the English language and why they should care about studying it in the first place. My students ranged from would-be engineers who, even as teenagers, had a far stronger grasp of science than I did, to students who were convinced that English was a "waste of their time because they would never leave Korea anyway." By helping my students to understand how connected the world really is and facilitating their potential to influence change in their own lives, I at least inspired a few minds during my tenure. Just like those students fighting to be at the top of their classes, the individuals I taught at the U.S. Embassy never wavered in their enthusiasm and curiosity for learning English and about other cultures. These students ranged from grade school children wanting to supplement their studies in lieu of often expensive and unaffordable afterschool academies to working professionals seeking to improve their English to improve their businesses or even help their children with schoolwork. Regardless of the particular reasons or motivation for learning, the energy and effort was always there, and by having even one more outlet to foster their growth, these individuals had already begun transforming their lives simply by

continuing these cultural exchanges with the people around them. Grades improved and business expanded. Having experienced such change within one year and within the single context of language learning, I returned to the U.S. with the goal of attempting to facilitate as much positive change as possible, which led me towards the study and practice of law.

My journey into the legal world began with a very specific need that could only be fulfilled by attending law school in the evenings part-time. As luck and fortune would have it, I would eventually be able to attend Whittier Law School as a part-time evening student in the fall of 2009. It was the only program at the time that would meet my requirements of being local enough (though still a roughly one-hour drive one way) while jumping back and forth between work and other private, familial necessities. I do not hesitate to say that were it not for that very specific program, I would not have been able to attend law school. My classes were extremely diverse, filled with working professionals from various industries and personal backgrounds. This provided the classroom with a wide range of perspectives on issues and subjects perhaps far more fulfilling than a day-time program where students tended not to have as much life nor work experience. In an age where academic institutions of all levels of prestige take pride in embracing diversity, this type of mixed collaboration certainly met, if not exceeded, those goals. Together, we night students became a family, each with differing goals and specializations, but with a common motivation to gain a legal education to better our own lives and those around us. Consequently, by being surrounded by likeminded and motivated individuals, I worked my way to the top third of my graduating class, serving on honor societies such as Law Review and the Trial Advocacy Honors Board, and even serving as the President of the entire student body during my graduating year. I also graduated with dual certificates in both Intellectual Property and International & Comparative Law, earning a fellowship in the former. The flexibility of Whittier's part-time program allowed me to earn such certificates because I could personally tailor the kind of education I desired under the circumstances. Thus, just like my students back in South Korea, I was able to develop my personal and professional goals because I had an accommodating outlet that provided me with the opportunity to do so. Indeed, my efforts were later recognized and rewarded by some of the world's most elite, as I earned internships with the both U.S. Army JAG Corps and NBCUniversal, which fall on two opposite sides of the legal practice spectrum but have the same strict standards of quality. In this manner, my academic endeavors came nearly full circle as these life-changing internships once again included individuals from extremely prestigious institutions, similar to that cohort of Fulbright Grantees I rubbed elbows with back in 2007. No one, especially not I, as a teenager washing dishes at a café, would have ever imagined becoming an attorney nor a Fulbrighter. At least twice in my life I faced a mountain with a small chance of success, and twice I was able to reach the apex. This is because I had more than just grit and luck – I had the opportunity, resources, and support to do so. My classmates in my part-time classes kept me focused and grounded. They are the individuals I fought for as class President, and they are the same kinds of individuals whose families and futures I continue to fight for today. I strongly believe that anyone who is willing to be brave enough to take a step forward and put in the effort deserves an opportunity to succeed.

While I need not repeat all of the exact facts and statistics contained in Petition R-16-0042, I would like to further highlight a few important points. Access to legal education is fairly limited in Arizona, and some of these the potential recipients, Native Americans and those living in remote areas without close access enough to law schools, stand to gain significantly if the petition is passed, both student and client-side. Continuing the discussion regarding access to educational resources above, I believe it is in the Court's best interest to support these students'

endeavors, especially if they meet the same stringent educational and ethical standards of other qualified graduates coming from traditional law schools. Indeed, upon reviewing Concord Law School's curriculum, not only do the students study all of the same subjects required for the California Bar Exam (which are roughly the same as the Arizona Bar Exam), but they also in fact exceed the credit hours and instruction time required by the ABA. Moreover, the students are subject to grading based on absolute performance rather than a curve, and must also take the First Year Law Students' Exam while earning grades no less than a "C" in order to even sit for the exam in the first place. Thus, where the quality of education is an absolutely legitimate concern, this is addressed by both Concord's academic standards and curriculum, as well as the mandatory State Bar examination process that is required for all graduates of any institution. The Bar Exam usually serves as one of the final barriers to decide whether a given individual may practice law, and, as history has shown, simply graduating from one school or another does not necessarily guarantee success on the Exam itself nor in the legal practice. Moreover, in my limited experience, an attorney's Bar License number – not one's alma mater – is required on legal documents, and clients usually tend to be more concerned about whether the attorney can actually get the job done. The onus is and has always been on the candidate: if they do not pass the test, then they simply do not move on. And, at least for Concord students, they have more tests to overcome and will still not suffer as heavy of a financial burden as compared to students at other traditional schools if they are unsuccessful. Therefore, it is because I believe in the State Bar Examination process that also I believe that candidates coming from a program like Concord Law School should at least be given the opportunity to put their fate into their own hands.

I would like to close on two final points: first, highlighting the evolving landscape of education, and second, how programs like Concord Law School are consistent with that evolution, serving a growing need in a constantly changing society. Today, online education is a reality. Universities across the nation now provide some courses that are either fully online or have a mix of online interactivity. In addition, many highly prestigious institutions such as Harvard, Yale, Oxford, and MIT provide both free and paid certificate courses on resources such as edX, Coursera, and MIT OpenCourseWare. The authenticity of the knowledge and information provided in such courses is difficult to challenge. Through this trend of providing such courses from respected institutions worldwide, it appears that more of the world is beginning to recognize and appreciate the value of flexible, instant access to education. Likewise, in Concord Law School's program, knowledge and information is provided by experienced faculty who also serve as practitioners. Further, the students learn the same fundamental cases and develop the same analytical tools as others in traditional settings. In sum, the students are equipped to compete with bar exam candidates from other schools. Interaction is the essential element to any form of learning, and merely being online does not change this – in fact, it is likely to accommodate it much better, especially given the majority demographic of Concord's student body. Specifically, for example, the flexibility of course scheduling allows students to worry less about what goes on outside of the classroom (e.g., traffic, taking time off, finding caretakers for children, etc.) and instead enables them to focus more on the material itself. As mentioned above, the onus is and has always been on the student to utilize the resources available (e.g., class time, office hours, various study materials) to create the best outcome possible. In my experience, time is by the far most important resource, as even the commute alone is enough to dramatically influence a student's success negatively. Simply placing the blame on the student for being in the situation can hardly be considered a prudent analysis of the circumstances. Thus, while time and flexibility alone cannot guarantee success,

the two at least tend to shift the balance back into the students' favor. Next, the reality of the need for educational programs such as the one at Concord Law School has now become even clearer since I originally began drafting my support for Petition R-16-0042. It was recently announced that my alma mater, Whittier Law School, is likely to be closing its doors. I must once again emphasize that I would not have been able to obtain a legal education had I not been able to attend its part-time program. The same likely holds true for many other part-time students fortunate enough to have already graduated and passed the bar. Regardless of how one stands on the topic of Whittier's or any school's closure, it is clear that among the already-limited amount of opportunities that individuals around the country lack for such flexible programming, there is now one less outlet for potential positive change, period. As mentioned in the text of Petition, the students in these types of part-time programs are not simply students who could not get into "better" schools. Rather, they are working, experienced professionals and these programs tend to be the only ones that fit those individuals' particular needs at the time. Similarly, the needs of society have changed dramatically over the last few decades, especially in regards to education. It is no longer unusual or rare for people to want to go back to school later in life, and socioeconomic norms are constantly being redefined. Technology has accelerated societal advances far beyond what was imagined over the last century, allowing us to break "cookie-cutter" molds and provide resources in ways much more efficiently than ever. Education should not be an exception to these advances – in fact, I argue that education should be the primary recipient of these advances. This is because my research and personal experience revealed to me that it is education and knowledge that influences changes in lives more than other factors. The need for legal services is not likely to decline anytime soon and perhaps may even grow larger. Thus, it will be in the Court's best interest to grant Petition R-16-0042 because Concord Law School's educational program will help to accommodate the need for legal services by enabling and encouraging the qualified, passionate few to seek legal education. Consequently, with less financial burden on future practitioners who are still subject to high educational and ethical standards, future clients stand to gain immensely from lowered costs for quality representation.

In conclusion, I will concede that this petition cannot and does not guarantee success just as much as it does not guarantee failure. However, it does provide opportunity – at least one more opportunity for underrepresented individuals who are in an unfortunate position of lacking many others. I have witnessed that sometimes all it takes to enable progress is the willingness to move forward and the opportunity to do so. Our practice is about equal justice and fairness for all. This fundamental concept should apply not only to those being served but also to those who shall strive to serve others. Opportunity breeds change, I hope your Honors will help enable both.

Respectfully submitted,



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